Case 3:07-cv-02408-DMS-LSP Document 21 Filed 02/15/2008 Page 1 of 3 Monty A. McIntyre, Esq. (SBN 095796) Christopher L. Ludmer, Esq. (SBN 208411) SELTZER CAPLAN McMAHON VITEK A Law Corporation 750 B Street, 2100 Symphony Towers San Diego, California 92101-8177 Telephone: (619) 685-3003 Facsimile: (619) 685-3100 mcintyre@scmv.com; ludmer@scmv.com; Attorneys for Defendants HEALTHSOUTH CORPORATION, SHC MANAGEMENT CORPORATION, SURGICAL CARE AFFILIATES, LLC, SHC SAN DIEGO, LLC, and SURGERY CENTERS-WEST HOLDINGS, LLC 9 10 11 UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA 12 DAVID J. CHAO, an individual, CASE NO. 3:07-CV-2408-DMS-WMc 14 Plaintiff, 15 STIPULATION AND (PROPOSED) VS. 16 ORDER REGARDING SUBSTITUTION HEALTHSOUTH CORPORATION, a OF PARTIES, SERVICE OF PARTIES, Delaware corporation; SHC SAN DIEGO AND REMAND TO STATE COURT 18 INC., a Georgia corporation; SHC MANAGEMENT COMPANY, a Georgia corporation; SURGICAL HEALTH Judge: Dana M. Sabraw 20 CORPORATION, a Delaware corporation; Dept.: Courtroom 10 HEALTHSOUTH SURGERY CENTERS 21 WEST, INC., a Delaware corporation; 22 SURGICAL CARE AFFILIATES, LLC, a Delaware Limited Liability corporation; 23 ARTHROSCOPIC & LASER SURGERY CENTER OF SAN DIEGO, L.P., and DOES 24 I through 100, inclusive, 25 Defendants. 26 27 28 CASE NO. 3:07-CV-2408-DMS-WMc

Page 2 of 3 Filed 02/15/2008 Document 21 Case 3:07-cv-02408-DMS-LSP The parties to this action, through their respective attorneys of record, stipulate and 2 agree as follows: 3 1. SHC SAN DIEGO, INC., a Georgia corporation, is not a party to this action by reason of transfer of interest and conversion to a Limited Liability Company. 5 2. SHC SAN DIEGO, LLC, a Delaware Limited Liability Company, is substituted as a party to this action in place of the party identified in Paragraph 1. 7 3. HEALTHSOUTH SURGERY CENTERS WEST, INC., a Delaware corporation, is not a party to this action by reason of transfer of interest and conversion to a Limited 9 Liability Company. 10 4. SURGERY CENTERS-WEST HOLDINGS, LLC, a Delaware Limited Liability 11 Company, is substituted as a party to this action in place of the party identified in Paragraph 3. 12 The parties stipulate and agree that Defendants SHC SAN DIEGO, LLC and 5. 13 SURGERY CENTERS-WEST HOLDINGS, LLC are deemed to be properly served with a 14|| copy of the summons and Complaint as of February 14, 2008. 15 1/// 16 111 17||/// 18 777 19 1/// 20||777 211/// 22 1/// 23 1/// 24||/// 25 1/// 26 111 27 111 28 2 CASE NO. 3:07-CV-2408-DMS-WMc

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1 2 3	6. The parties stipulate and agree that the action should be remanded back to the state court. Each party to bear its own fees and costs.			
4 5 6 7 8 9	Dated: 23508	A Law Cor By: Mor Chri Attorneys 1	CAPLAN McMAHO poration ty A. McIntyre istopher L. Ludmer for Defendants HEAL ATION, SHC MANAG	THSOUTH
10 12 13 14 15 16 17	Dated: February 14,200	CORPORA AFFILIAT SURGERY THE WAT A Profession By: Ma	ATION, SURGICAL OF ES, LLC, SHC SAN IN CENTERS-WEST FOR IN COMPARED IN THE SECOND IN T	CARE DIEGO, LLC, and HOLDINGS, LLC
20 21 22	IT IS SO ORDERED.	ORDER	_ 10	
23 24 25 26 27	DATED: 2-15-68	Unite	d States District Judge	
28	COUNTY I ATTACK TO	3		:07-CV-2408-DMS-WMc
	STIPULATION AND (PROPOSED) ORDER REGARDING SUBSTITUTION OF PARTIES SERVICE OF PARTIES, AND REMAND TO STATE COUR			